

Remarks

Claims 1-24 are pending, and claims 1-24 stand rejected. The Applicants respectfully traverse the rejection and request allowance of claims 1-24.

Claim Objections

The Examiner entered an objection to claims 7, 17, 23, and 29. The objection does not make sense considering the pending claims, so the Applicants assume this was an inadvertent objection and ask the Examiner to remove the objection.

§ 103 Claim Rejections

The Examiner rejected claims 1-5, 9-11, 13-17, and 21-23 under 35 U.S.C. § 103 in view of U.S. Patent number 6,240,462 (Agraharam) and U.S. Patent number 5,946,633 (McAlinden). The Examiner rejected claims 6, 7, 18 and 19 in view of Agraharam, McAlinden, and U.S. Patent number 6,769,028 (Sass). The Examiner rejected claims 8 and 20 in view of Agraharam, McAlinden, and U.S. Patent number 6,615,034 (Alloune). The Examiner rejected claims 12 and 24 in view of Agraharam, McAlinden, and U.S. Patent number 6,657,982 (Fong). The Applicants submit that claims 1-24 are non-obvious.

In rejecting the independent claims 1 and 13, the Examiner relied on Agraharam except for the wireless connection. Agraharam is much different than the independent claims as pending. The independent claims describe a bandwidth boost between an end user client and a communication device, such as an ISP. This is traditionally referred to as the "last mile" that can create a bottleneck. The end user client connects to the communication device over a wireline and requests data sets. If a bandwidth boost is needed to transfer the data sets, a control system in the communication device sets up a wireless connection with the client in addition to the wireline connection. The control system then transmits one data set over the wireline connection and transmits one data set over the wireless connection. The result is that the end user client obtains a higher bandwidth, maybe only temporary, for receiving data.

Agraharam actually teaches away from this type of bandwidth boost. Agraharam describes an end user client that communicates with a terminal server to obtain access to data. If the client requests data, the terminal server communicates with application servers in the network

to obtain the data. Traditionally, the terminal server communicates with the application servers over an IP backbone. Agraharam states that the problem with the network is congestion between the terminal server and the application server over the IP backbone (*see Agraharam, column 2, lines 1-6; column 3, lines 1-6*). Agraharam further states that there are rarely congestion problems between the client and the terminal server (i.e., the last mile). Thus, Agraharam describes setting up an alternative path between the application server and the terminal server, and transmitting the data between the application server and the terminal server (one-way) to avoid the backbone. Agraharam is concerned with a bandwidth increase on the network side (e.g., application server to terminal server) and does not discuss a bandwidth increase on the client side (e.g., terminal server to end user client).

Therefore, Agraharam does not teach a bandwidth boost to an end user client using a wireless connection in addition to a wireline connection as provided in the independent claims. More particularly, Agraharam does not teach the step of *"establishing a wireless communication path with the client based on the second transmit instructions and transmitting the second data set to the client over the wireless communication path based on the second transmit instructions"* (*see claim 1*). Agraharam does not establish a second communication path at all, wireless or wireline, between the client and the terminal server to increase the bandwidth to the end user.

McAlinden merely describes adding multiple wireless channels to a wireless device if a higher wireless bandwidth is needed.

Thus, the combination of Agraharam and McAlinden do not teach independent claims 1 and 13 of the pending application for reasons described above. The same reasons apply for the dependent claims.


Conclusion

Based on the above remarks, the Applicants submit that claims 1-24 are allowable. There may be additional reasons in support of patentability, but such reasons are omitted in the interests of brevity. The Applicants respectfully request allowance of claims 1-24.

Any fees may be charged to deposit account 21-0765.

Respectfully submitted,

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